

U.S. Patent Application Serial No. 10/828,260
Preliminary Amendment filed July 3, 2008
Reply to OA dated April 7, 2008

REMARKS

As indicated above, this is a Preliminary Amendment for the RCE filed herewith.

Claims 1, 2 and 5 - 13 remain pending in this patent application, claims 1, 10, 12 and 13 being independent claims. Claims 3 and 4 are canceled without prejudice or disclaimer.

Claims 1, 10, 12 and 13 have been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicant regards as his invention. It is believed that this Amendment is fully responsive to the Office Action dated April 7, 2008.

In the final Action dated April 7, 2008, the following rejections are set forth:

(1) claims 1 - 8, 10, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tomohiko (JP Pub. No. 11-262081) in view of Lindemann (U.S. Pub. No. 2004/0223622); and
(2) claims 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tomohiko in view of Lindemann, and further in view of Hooley (U.S. Pub. No. 2004/0151325).

The applicant respectfully requests reconsideration of these rejections.

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First, with respect to claims 1 - 8, 10, 12 and 13 (as amended), the primary reference of Tomohiko teaches a delay processing of a wired speaker, which is a mere conventional technique or process. The secondary reference of Lindemann, on the other hand, merely discloses a wireless speaker. It is submitted that a person of ordinary skill in the art cannot just simply bring a wired speaker (as taught by Tomohiko) and a wireless speaker (as taught by Lindemann) into synchronization. Additional factors must be brought into the technology in order to achieve an invention as claimed by the applicant.

Contrary to the Examiner's assertion, different (complicated) factors have to be considered for providing delay processing on wireless speakers, which is by no means made obvious by the teachings of Tomohiko. Even if, *arguendo*, such delay processing of wireless speakers can be reached by merely combining the teachings of Tomohiko with the descriptions of Lindemann-type wireless speakers, additional technical factors must be brought into consideration before the wired and wireless speakers can be effectively be in synchronization, as taught in the applicant's instant claimed invention.

Second, with respect to claims 9 and 11, the other secondary reference of Hooley is narrowly relied upon by the Examiner, but such narrow teachings of Hooley do not supplement the above-discussed deficiencies or drawbacks in the teachings of Tomohiko and Lindemann in failing to fully meet the applicant's claimed invention, as now recited claims 1 and 10 from which claims 9 and 11

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respectively depend.

As such, a person of ordinary skill in the art would not have found the applicants' claimed invention, as set forth in the claims as amended, obvious based on the teachings of the cited references, singly or in combination.

In view of the above, the withdrawal of the outstanding obviousness rejections under 35 U.S.C. 103(a) is in order, and is therefore respectfully solicited.

In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper to Deposit Account No. 01-2340.

Respectfully submitted,

KRATZ, QUINTOS & HANSON, LLP



Mel R. Quintos
Attorney for Applicant
Reg. No. 31,898

MRQ/lrj/ipc

Atty. Docket No. **040189**
Suite 400
1420 K Street, N.W.
Washington, D.C. 20005
(202) 659-2930



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Enclosure: Request for Continued Examination (RCE)